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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,190	12/12/2001	Richard Stewart	010202	6381
23696	7590	11/05/2004	EXAMINER	
Qualcomm Incorporated Patents Department 5775 Morehouse Drive San Diego, CA 92121-1714			AN, SHAWN S	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/017,190

Applicant(s)

STEWART ET AL.

Examiner

Shawn S An

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 25-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 25-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/30/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Restriction/Election

1. Applicants' election without traverse of species III corresponding to claims 1-14 and 25-34 in the reply filed on 8/24/2004 is acknowledged. Furthermore, Applicants are canceling claims 15-24 and 35-43, without prejudice.

Claim Objections

2. Claim 1 is objected to because of the following informalities: Claim 1 is missing the claim sequence number "1". Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 9, and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Epstein et al (6,529,600 B1).

Regarding claim 1, Epstein et al discloses a method for surveillance, comprising:

generating at least one video of at least one surveilled location (theater) using at least one camera (col. 1, lines 34-46); and

establishing a frame rate of the video at least partially based on motion (col. 4, lines 28-31).

Epstein et al does not specifically disclose dynamically establishing a frame rate of the video at least partially based on motion in the surveilled location.

However, the Examiner takes official notice that a surveillance camera dynamically establishing a frame rate of the video in a surveillance location such as in a convenient store is conventionally well known in the art.

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for surveillance as taught by Epstein et al to incorporate the well known concept of a surveillance camera dynamically establishing a frame rate of the video in a surveillance location such as in a convenient store for capturing live images and enhancing the quality of the video by varying the frame rate in dependence on the motion.

Regarding claim 2, Epstein et al discloses identifying the motion based on changes between frames of the video (col. 4, lines 40-53).

Regarding claim 3, the Examiner takes official notice that a conventional motion detector for detecting/sensing motion is well known in the art.

Therefore, it would have been obvious to a person of ordinary skill in the relevant art to incorporate the conventional motion detector for detecting/sensing motion.

Regarding claim 9, the Examiner takes official notice that a conventional video encoder/compressor for encoding/compressing the video frames is well known in the art.

Therefore, it would have been obvious to a person of ordinary skill in the relevant art to incorporate the conventional video encoder/compressor for encoding/compressing the video frames to minimize bandwidth requirements of a transmitter.

Regarding claims 11-12, Epstein et al discloses processing entire frames of the frame rate (col. 4, lines 40-53).

Furthermore, the Examiner takes official notice that a conventional video encoder/compressor for encoding/compressing only portions of an entire video frames is well known in the art.

Therefore, it would have been obvious to a person of ordinary skill in the relevant art to incorporate the conventional video encoder/compressor for encoding/compressing only portions of an entire video frames to conserve bandwidth and processing time.

5. Claims 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Epstein et al (6,529,600 B1) in view of Monroe (6,518,881 B2).

Regarding claim 4, Epstein et al does not particularly disclose transmitting the video to at least one mobile wireless receiver for display of the video on a mobile terminal.

However, Monroe teaches a digital communication system comprising at least one mobile wireless receiver (Fig. 3, 58 and 54), and a mobile terminal (200) for displaying the video.

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for surveillance as taught by Epstein et al to incorporate the Monroe's teaching as above so as to transmit the video to at least one mobile wireless receiver for displaying the video on a mobile terminal, thereby the video can be observed/analyzed in one of many locations.

Regarding claim 5, since Monroe's mobile unit is used in a law enforcement vehicle, it would have been obvious to implement the mobile unit in a plurality of law enforcement vehicles comprising plurality of mobile wireless receivers for an obvious reason of covering communication capability (transmitting video) to a plurality of regions/locations/states.

Regarding claim 6, Monroe teaches transmitting the video to base station via the wireless interface in real time (col. 7, lines 3-7).

Therefore, it would have been obvious to transmit a video to the at least one mobile wireless receiver in real time for live observation of the video by the enforcement officer in case of an emergency.

Regarding claim 7, the Examiner takes official notice that a billing company or a corporation generating at least one electronic or paper billing document based on the transmission for delivering services/goods such as a product purchase transaction via the internet is well known in the art.

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for surveillance as taught by Epstein et al to incorporate the

well known concept of generating at least one electronic or paper billing document based on the transmission for delivering services/goods.

Regarding claim 8, the Examiner takes official notice that transmitting a video in response to a successful authentication such as in a pay per view method is well known in the art.

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for surveillance to incorporate the well known concept of transmitting a video in response to a successful authentication such as in a pay per view method as a secure way to verify if the user/subscriber has authorization to view the requested video.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Epstein et al (6,529,600 B1) in view of Acosta et al (6,166,729).

Regarding claim 10, Epstein et al does not specifically disclose generating plural videos of respective surveillance locations and routing the videos to respective wireless receivers in response to user requests for videos.

However, Acosta teaches a remote digital image viewing system comprising generating a plurality of digital images of respective surveillance locations (Fig. 1, 12) and routing (18, 20) the digital images to respective wireless receivers (22) in response to user requests for a selected/desired digital image.

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for surveillance as taught by Epstein et al to incorporate the Acosta's teaching as above, and substitute the digital image with the video of Epstein et al so as to generate plurality of videos of respective surveillance locations and route the videos to respective wireless receivers in response to user requests for videos, thereby the selected/desired video can be observed by wide range of network enabled users.

7. Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Epstein et al and Monroe as applied to claim 4 above, and further in view of Acosta et al (6,166,729).

Regarding claim 13, the combination of Epstein et al and Monroe does not specifically disclose providing at least one conditional access module in a link between the location and receivers to secure the link.

However, Acosta teaches a remote digital image viewing system comprising providing at least one condition access module (Fig. 10, 472) in a link between the location (Fig. 1, surveillance camera, 12) and receiver (22) to secure the link.

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for surveillance as taught by Epstein et al to incorporate the Acosta's teaching as above so as to provide at least one conditional access module in a link between the location and receivers to secure the link as a secure way to verify if the user/subscriber has authorization to view the requested video, thereby accessing /denying the video depending on the authentication.

Regarding claim 14, Acosta et al discloses authenticating at least one of: a source of video and the receiver (col. 16, lines 57-67).

8. Claims 25-29 and 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naidoo et al (6,690,411 B2) in view of Epstein et al (6,529,600 B1).

Regarding claim 25, Naidoo et al discloses a surveillance method, comprising: installing at least one surveillance camera (Fig. 4, 18) in at least one location to be surveilled;

using the surveillance camera to generate a video feed by generating video frames (col. 7, lines 42-53); and

transmitting the video feed in real time to at least one monitoring receiver over a wireless link (col. 2, lines 27-42).

Naidoo et al does not specifically disclose varying a frame rate associated with frames based at least in part on motion of at least one object at the location.

However, Epstein et al teaches a concept of varying a frame rate associated with frames based at least in part on motion of at least one object (motion inherently involves an object moving) at the location (scene) for enhancing the quality of the video images (col. 4, lines 28-39).

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for surveillance as taught by Naidoo et al to incorporate the Epstein et al's teaching as above for enhancing the quality of the video images.

Regarding claims 26 and 33, Naidoo et al discloses processing and/or compressing an entire video frame/feed (col. 7, lines 37-44).

Regarding claim 27, the Examiner takes official notice that a conventional video encoder/compressor for encoding/compressing only portion of a video frame is well known in the art.

Therefore, it would have been obvious to a person of ordinary skill in the relevant art to incorporate the conventional video encoder/compressor for encoding/compressing only portion of a video frame to conserve bandwidth and processing time.

Regarding claim 28, the Examiner takes official notice that a billing company or a corporation generating at least one billing document based on the transmission of the data for delivering services/goods such as a product purchase transaction via the internet is well known in the art.

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for surveillance to incorporate the well known concept of generating at least one billing document based on the transmission for delivering services/goods.

Regarding claim 29, Epstein et al discloses identifying the motion based on changes between frames of the video (col. 4, lines 40-53).

Regarding claim 32, Naidoo et al discloses transmitting in response to a successful authentication (col. 6, lines 58-67).

Regarding claim 34, the Examiner takes official notice that generating a plurality of video feeds of respective surveillance locations and routing the videos to respective wireless receivers in response to user requests for video feeds are conventionally well known in the art.

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for surveillance as taught by Naidoo et al to incorporate the well known concept as above, so that the plurality of video feeds from the respective

surveillance locations can be observed by wide range of network enabled users using the respective wireless receivers.

9. Claims 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naidoo et al and Epstein et al as applied to claim 25 above, and further in view of Monroe (6,518,881 B2).

Regarding claim 30, the combination of Naidoo et al and Epstein et al does not specifically disclose transmitting the video feed to at least one mobile wireless receiver for display of the video on a mobile terminal.

However, Monroe teaches a digital communication system comprising at least one mobile wireless receiver (Fig. 3, 58 and 54), and a terminal (200) for displaying the video.

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for surveillance as taught by Naidoo et al to incorporate the Monroe's teaching as above so as to transmit the video to at least one mobile wireless receiver for displaying the video on a mobile terminal, thereby the video can be observed in one of many locations.

Regarding claim 31, since Monroe's mobile unit is used in a law enforcement vehicle, it would have been obvious to implement the mobile unit in a plurality of law enforcement vehicles comprising plurality of mobile wireless receivers for an obvious reason of covering communication capability (transmitting video) to a plurality of regions/locations/states.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

A) Vaios (6,271,752 B1), Intelligent multi-access system.

B) Lee et al (2002/0036705 A1), Format converter using bi-directional motion vector and method thereof.

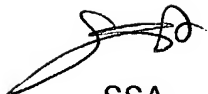
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11. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Shawn S An whose telephone number is 703-305-0099.

The Examiner can normally be reached on Flex hours (10).

12. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SSA

Primary Patent Examiner

11/3/04